

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KEITH ALAN ROBERTS,
Plaintiff

v.

DEBBORAH WILSON, et al.,
Defendants

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No. 3:15-cv-01607

(Judge Kane)

(Magistrate Judge Arbuckle)

ORDER

AND NOW, on this 30th day of March 2018, in accordance with the Memorandum entered concurrently with this Order, **IT IS ORDERED THAT:**

1. The Court adopts in part the Report and Recommendation (Doc. No. 93), of Magistrate Judge Arbuckle;
2. The Report and Recommendation is **ADOPTED** insofar as it recommends denial of the Medical Defendants' motion for summary judgment;
3. The Report and Recommendation is **NOT ADOPTED** with respect to Magistrate Judge Arbuckle's finding that the Medical Defendants failed to meet their threshold burden of demonstrating the absence of a genuine issue of material fact as to Plaintiff's Eighth Amendment deliberate indifference claim;
4. The Medical Defendants' motion for summary judgment (Doc. No. 84), is **DENIED** without prejudice; and
5. This matter is **RECOMMITTED** to Magistrate Judge Arbuckle for further pretrial proceedings, including consideration of whether appointment of counsel to represent Plaintiff in this action pursuant to 28 U.S.C. § 1915(e)(1) is warranted.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania